

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**UNITED STATES OF AMERICA**

v.

**ROBERT JUSTIN KROP,**

**CRIMINAL NO. 23-cr-0123-SAG**

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**GOVERNMENT RESPONSE IN PARTIAL  
OPPOSITION TO MOTION FOR APPROPRIATE RELIEF**

The United States, through its undersigned counsel, responds in partial opposition to Robert Krop's Motion for Appropriate Relief, ECF 121.<sup>1</sup> Specifically, the Government opposes the relief requested in paragraph 5 of Krop's motion, to wit: that this court "order the [Bureau of Alcohol, Tobacco, Firearms & Explosives ("ATF")] ATF and the U.S. Attorney to return . . . seized assets." Otherwise, the Government does not oppose the relief requested, particularly with respect to the return of Krop's passport.<sup>2</sup>

First, the firearms and other evidence seized from Krop and/or his business, The Machine Gun Nest ("TMGN"), are evidence in *United States v. Jenkins*, 23-cr-0123-SAG. Second, and more significantly as to Krop, they remain evidence against him subject to his reindictment and are in that event subject to a forfeiture count in said indictment. And, third, independent of whether Krop is guilty of criminal conduct related to the machineguns and regulated firearm seized from

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<sup>1</sup> It is not clear given that the indictment against Krop has been dismissed, whether filing this motion in a criminal case in which he is no longer a party is the proper vehicle by which to petition the court but, in the interest of expediency, the Government is responding in this matter.

<sup>2</sup> With regard to the charges that were dismissed by this Court without prejudice, the government intends to seek a new indictment against Krop, and remains hopeful a trial can still proceed as previously scheduled.

him and his business, ATF has determined that these weapons were not permitted to be possessed by Krop and/or TMGN. In short, in accordance with ATF laws and regulations respecting machineguns and other regulated firearms, irrespective of how he came to be in possession of them initially, Krop and/or TMGN is not lawfully entitled to be in possession of those firearms at this time.

Accordingly, this court should deny Krop's motion with respect to the items identified in paragraph 4 of ECF 121 as requested in paragraph 5 of the same pleading.

Very truly yours,

Eric L. Barron  
United States Attorney

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By: \_\_\_\_\_  
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